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Application No. 10/532,121

Docket No. 449122080500

REMARKS

Claims 1 and 8 stand rejected under 35 USC 102(b) as being anticipated by Luzzi. Claims 2, 3, 6, and 7 stand rejected under 35 USC 103(a) as being unpatentable over Luzzi. Claims 4 and 5 stand rejected under 35 USC 103(a) as being unpatentable over Luzzi in view of Seki. These rejections are respectfully traversed.

Claim 1 has been amended to include the features previously recited in claims 2, 3, and 4. New claims 10-13 have been added. New claim 10 includes the features previously recited in claims 1, 2, 3 and 5. New claims 11-13 include features previously recited in claims 6-8. Accordingly, no new matter has been added to this application.

Independent claims 1 and 11 both specify that at least one casting channel is provided in the sheath and/or the connection part and is arranged below the intermediate space when it is filled with the fluid compensating compound. This arrangement is neither disclosed or suggested by Luzzi.

Furthermore, in Luzzi to achieve a void-free interface between the reinforcing element 36 and the bottle 62 of the contact assembly, it is necessary to either fill the annular space between the reinforcing element 36 and the bottle 62 completely with the filler 80 (see col. 7, lines 29-32) and compress the filler material by threading the fixed end buttress 82 into engagement with the reinforcing element 36, or, if a swellable material is chosen for the filler 80, it has to be swelled by another liquid in order to achieve the void-free interface (see col. 7, lines 54-65).

In contrast, there is no need to compress the fluid compensating compound or to swell the fluid compensating compound in the claimed method. With the claimed casting channel and the sheath and/or the connection part that arranged below the intermediate space when the intermediate space is filled with the fluid compensating compound, a void-free assemblage of the cushioning between the sheath and the breaker is provided. Accordingly, in this arrangement the fluid compensating compound eliminates the air in the intermediate space during the filling process from below on its own, without any further necessity of compressing the fluid compensating compound

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or swelling it to reduce the risk of voids in the cushioning. Thus it is not a mere matter of design choice, as suggested by the Examiner, to provide a casting channel in the sheath and/or the connection part that is arranged below the intermediate space when the intermediate space is filled with the fluid compensating compound. Rather, this claimed design provides benefits not disclosed or suggested by Luzzi.

With respect to the last feature in claim 1 that "a vacuum is applied in the intermediate space when it is filled with the fluid compensating compound", it is pointed out that this step further reduces the risk of void in the cushioning compared to an injection process under normal conditions, as disclosed by Luzzi. Furthermore, this feature is not obvious to one of ordinary skills in the art in view of Seki in combination with Luzzi. Seki teaches a method of manufacturing a contact material for a vacuum valve. Applying a vacuum for manufacturing a contact material for a vacuum valve or applying a vacuum in a vacuum valve is known to improve the withstand voltage characteristic of such a vacuum valve. This method of Seki may be used in order to improve the withstand voltage characteristic of the contact assembly 60 with the bottle 62 of Luzzi (cf. col. 7, lines 10ff.). However, it is not clear how this teaching can be combined with Luzzi for the process of injection of the filler material/the fluid compensating compound, since these methods are totally different from one another.

Further, with respect to the last feature in claim 11, the feature that "the fluid compensating compound is introduced into the intermediate space under pressure" is not disclosed by Luzzi. Luzzi discloses a dielectric filler material that preferably can be placed and brought to its final form without application of extreme temperatures or pressures (see column 7, lines 33 to 37). Applying a pressure to the filler material 80 during the filling process disclosed by Luzzi is not desirable and is not applicable with the method disclosed by Luzzi. The void-free interface or cushioning of Luzzi results only after the injection of the filler material 80 by swelling the filler material 80 or by threading the fixed end buttress 82 into engagement with the reinforcing element 36. It is not clear

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how the application of a pressure during the injection process can lead to a void-free cushioning, since an injection under pressure without a casting channel would not lead to a totally filled intermediate space.

In contrast, applying a pressure according to the claimed invention provides a void-free cushioning in combination with the filling process by filling the fluid compensating compound through the casting channel that is arranged below the intermediate space when the intermediate space is filled with the fluid compensating compound. The pressure supports the increase of the level of the fluid compensating compound in the intermediate space and the elimination of air therein during the filling process, thus providing a void-free cushioning in the intermediate space.

Accordingly, claims 1 and 11 are patentable over the cited references. Claims 6-8 and 11-13, which depend from claims 1 and 11 should be allowed for at least the same reasons.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **449122080500**.

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